

APR -4 2000



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

David T. Read  
Acting Director Regulatory Policy Staff, CDER  
Food and Drug Administration  
1451 Rockville Pike, HFD-7  
Rockville, MD 20852

Dear Mr. Read:

The attached application for patent term extension of U.S. Patent No. 5,446,194 was filed on December 17, 1999, under 35 U.S.C. § 156.

The assistance of your Office is requested in confirming that the product identified in the application, COMTAN® (entacapone), has been subject to a regulatory review period within the meaning of 35 U.S.C. § 156(g) before its first commercial marketing or use and that the application for patent term extension was filed within the sixty-day period after the product was approved. Since a determination has not been made whether the patent in question claims a product, or the method of use of manufacturing such a product, which has been subject to the Federal Food, Drug and Cosmetic Act, this communication is NOT to be considered as notice which may be made in the future pursuant to 35 U.S.C. § 156(d)(2)(A).

Our review of the application to date indicates that the subject patent would be eligible for extension of the patent term under 35 U.S.C. § 156.

Any correspondence, especially any change of address for the patent term extension application from applicant, with respect to this matter should be addressed as follows:

By mail:      Commissioner for Patents  
                  Box Patent Ext.  
                  Washington, D.C. 20231

By hand:      Crystal Plaza Four, Suite 3C23  
                  2201 South Clark Place  
                  Arlington, VA 22202

By FAX:      (703) 308-6916 or (703)941-8711  
                  Attn: Karin Tyson

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 306-3159.

  
Karin Tyson, Senior Legal Advisor, Special Program Law Office  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects

cc:      Teresa Stanek Rea  
            BURNS DOANE SWECKER & MATHIS LLP  
            PO BOX 1404  
            ALEXANDRIA VA 22313-1404